

M. OTHER FACILITIES**WAC 388-513-1396 Clients living in a fraternal, religious, or benevolent nursing facility.**

This section describes how the department determines eligibility for long-term care (LTC) services for a client living in a fraternal, religious, or benevolent nursing facility.

- (1) For a client living in a licensed nursing facility operated by a fraternal, religious, or benevolent organization, who meets all other eligibility requirements, the department approves LTC services, if:
 - (a) Any contract between the client and the facility excludes free or prepaid LTC services and/or medical care for life; or
 - (b) The facility is unable to fulfill the terms of the contract and has:
 - (i) Voided the contract; and
 - (ii) Refunded any of the client's existing assets to the client.
- (2) For a client described in subsection (1), the department denies LTC services, if the client:
 - (a) Signs a contract with the organization that includes free or prepaid LTC services and/or medical care for life; and
 - (b) Surrenders income and/or resources to the organization in exchange for such care.

CLARIFYING INFORMATION

Residents of fraternal, religious or benevolent nursing facilities often sign life care contracts with the facility. These contracts offer institutional and/or medical care in exchange for the surrender of the client's income and resources.

WORKER RESPONSIBILITIES

1. If the client signed a contract for life care, consider the following to determine if adequate consideration was received when assets were transferred to the facility:
 - The amount of the client's assets surrendered under the contract
 - The client's cost of care up to the date of application for LTC services
2. Follow necessary supplemental accommodation (NSA) procedures described in chapter 388-200 WAC when appropriate.